

ANNUAL REPORT OF THE COMMISSIONER OF MEDIATION AND CONCILIATION

MESSAGE FROM
THE PRESIDENT OF THE UNITED STATES

TRANSMITTING


THE FIRST ANNUAL REPORT OF THE COM-
MISSIONER OF MEDIATION AND CONCILIA-
TION ON THE OPERATIONS OF THE UNITED
STATES BOARD OF MEDIATION AND
CONCILIATION FOR THE FISCAL
YEAR ENDED JUNE 30, 1914



DECEMBER 21, 1914.—Referred to the Committee on Labor
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FIRST ANNUAL REPORT OF THE COMMISSIONER OF MEDIATION AND CONCILIATION, 1913-14.

The PRESIDENT:

The act of Congress approved July 15, 1913, "providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees," created the offices of Commissioner of Mediation and Conciliation and Assistant Commissioner of Mediation and Conciliation, and further provided that the President shall also "designate not more than two other officials of the Government who have been appointed by and with the advice and consent of the Senate, who, together with the Commissioner of Mediation and Conciliation, shall constitute a board to be known as the United States Board of Mediation and Conciliation." The undersigned was appointed Commissioner of Mediation and Conciliation and Mr. G. W. W. Hanger was appointed assistant commissioner. United States Circuit Judge Martin A. Knapp was appointed a member of the Board of Mediation and Conciliation, and was elected chairman, and Assistant Commissioner Hanger secretary.

Before this law was enacted Congress had legislated twice on the same subject matter. The first of these prior acts, namely, the one approved October 1, 1888, "to create boards of arbitration or commissions for settling controversies and differences between railroad corporations and other common carriers engaged in interstate or territorial transportation of property or persons and their employees," was repealed by the act approved June 1, 1898, entitled "An act concerning carriers engaged in interstate commerce and their employees," and the present law by its terms repealed all previous acts and therefore constitutes the body of Federal legislation relating to the mediation, conciliation, and arbitration of controversies between railroads and their employees.

The immediate cause for the passage of the present law grew out of the demands of the conductors and trainmen in "eastern territory" which had been presented in a concerted movement some months previously to 42 eastern railroads in what is known as eastern associated territory. The 22,752 conductors involved in this movement were represented by the Order of Railway Conductors of America, Mr. A. B. Garretson, president, and the 69,697 trainmen were represented by the Brotherhood of Railroad Trainmen, Mr. W. S. Lee, president. The 42 railroads were represented by a conference committee of managers, of which Mr. Elisha Lee, vice president of the Pennsylvania Railroad Co., was chairman. The direct negotiations between the parties resulted in a refusal by the railroads to grant the demands of the men on the ground that the rates of wages then prevailing were adequate and that the employees were working under favorable conditions. A strike vote had been

taken resulting in some 97 per cent of the employees voting to withdraw from the service of the railroads unless their demands were complied with. The situation was an aggravated one and reached an acute stage early in July, 1913, which threatened a complete tie-up of all the railroads in that territory to the serious detriment of the public interest, incalculable losses to both parties to the controversy, and widespread financial disaster to the country. The public mind was excited and the bill which had been pending in Congress for some months was, upon the advice of the President, promptly enacted into law to meet the emergency.

Immediately upon the appointment of the officers as authorized by the act the services of the United States Board of Mediation and Conciliation were tendered to both parties to the controversy and promptly accepted. As all of the parties to the controversy were assembled in New York City, the mediation conferences were opened there on the day following the appointment of the mediators.

The mediators met the representatives of the two parties in separate conferences, and early in these sessions realized that the only method of amicable adjustment would be through arbitration, and thereupon directed their efforts to induce the parties to submit their controversy to a board of arbitration, in accordance with the provisions of the act. Both parties to the controversy had united their efforts in the procurement of the passage of the law, and while they were equally sincere in their desire to have the controversy amicably adjusted, it was with great difficulty that they were brought to agree upon terms of arbitration.

The employees contended that their demands as they were originally presented to the conference committee of managers, anterior to the passage of the act of Congress, were the only matters to be arbitrated, while the railroads contended with equal earnestness that certain demands of the railroad should be submitted also to arbitration. The employees definitely declined to arbitrate if the proposals of the railroads were to be incorporated, and the railroads finally consented to withdraw their counter demands. The stipulations for the arbitration were signed by the parties July 26, 1913, eleven days after the passage of the law, and, within the time prescribed, the respective parties selected their arbitrators. Mr. W. W. Atterbury vice president of the Pennsylvania Railroad, and Mr. A. H. Smith vice president of the New York Central Railroad, were selected by the associated railways, Mr. Smith, pending the arbitration, succeeding to the presidency of the New York Central. The employees selected as their arbitrators Mr. Lucius E. Sheppard, vice president of the Order of Railway Conductors, and Mr. Daniel E. Cease, editor of the Railroad Trainman. Hon. Seth Low, president of the National Civic Federation, and Dr. John H. Finley, president of the College of the City of New York, were appointed neutral arbitrators, completing a board of six, as provided by law, and the stipulations of the arbitration agreement. The board organized with Mr. Low as chairman and Mr. H. S. Milstead as secretary, and held its first session in New York City on September 11, 1913. The award of the board was rendered on November 10, 1913, and went into effect upon the entry of judgment thereon by the District Court of the United States for the Southern District of New York 10 days thereafter, and, subject to

certain interpretations by the reassembled board, has since been in practical application throughout the affected territory.

During the pendency of the foregoing arbitration the services of the Board of Mediation and Conciliation were requested in 10 other cases, as is shown in the table of cases accompanying this report. In seven of them amicable settlements were secured by the board through mediation. In two of the remaining cases many of the points in controversy were settled by mediation, the points remaining unsettled going to arbitration, while in one case all of the matters in controversy were settled by arbitration.

Case No. 2 was a concerted movement by the engineers, firemen, and trainmen against the Chicago & Western Indiana Railroad and the Belt Railway Co. of Chicago. The application in this case was made by the railroads, and the services of the board were promptly accepted by the employees. Mediation was conducted in Chicago, beginning August 4, 1913, and the unsettled points of the controversy were submitted to arbitration, the award of the arbitration board being rendered September 17, 1913.

Case No. 4 was a concerted movement by the engineers, firemen, conductors, and trainmen against the Southern Pacific Co. (Pacific System), the request for mediation coming from the railroad on July 31, 1913. Mediation conferences were held in San Francisco, Cal., and resulted in the settlement of all points of difference save one. This question—the determination of what constitutes street car service as distinguished from suburban electric service—both parties agreed to leave to the decision of an independent board of three umpires, of which Hon. John F. Davis, of San Francisco, was selected chairman. Their decision was rendered October 17, 1913.

Case No. 6 was a concerted movement on the part of the conductors and trainmen against the Chicago, Burlington & Quincy Railroad, with 150 points of difference between the employees and the railroad. The application to the board was made by both parties. Mediation conferences were begun in Chicago on August 21, 1913, which resulted in the amicable settlement of 111 of the contentions, and the remaining 39 disputed points were submitted to arbitration November 3, 1913. This was an exhaustively contested case. A board of six arbitrators was demanded by the parties, the railroads choosing as their representatives on the board Mr. Fairfax Harrison, president of the Chicago, Indiana & Louisville Railway, and Mr. P. H. Morrissey, assistant to the vice president of the Chicago, Burlington & Quincy Railroad. The employees named as their arbitrators Mr. E. R. Curtis, vice president of the Order of Railway Conductors, and Mr. E. L. Harrigan, general chairman of the grievance committee of the Brotherhood of Railroad Trainmen of the Northern Pacific Railway. The Board of Mediation and Conciliation appointed Hon. Gerrit J. Diekema, of Holland, Mich., and Hon. Henry S. Boutell, of Washington, D. C., as neutral arbitrators. The arbitration board organized with Mr. Boutell as chairman and appointed Mr. H. S. Milstead secretary. Pending the arbitration Mr. Harrison was elected president of the Southern Railway, which necessitated his removal from Chicago and his residence in Washington, and Hon. Pierce Butler, of St. Paul, Minn., was chosen as his successor on the arbitration board. The award of the board was rendered on February 19, 1914. The

history of these cases, which arose in the early workings of the law, has been given in some detail to briefly indicate the methods adopted by the board in the adjustment and settlement of controversies.

In all there have been 28 cases similar in character and importance to the foregoing brought to the attention of the board during the year by one party or the other, or jointly in some instances, in each of which the controversy was of such a nature that a tie-up or suspension of train movements would have resulted except for the settlements which were reached through the services of the board. In all of these cases, with the exception of two, strike votes had actually been taken before the services of the board were requested. In three of the most serious cases the services of the board were tendered, without the request of either party, resulting in amicable adjustment in two cases by mediation and the other by arbitration.

There have been only two cases since the passage of the law where the strike votes became effective. In one of these cases the request for mediation services was not received until late in the evening, and the strike already set for 6 o'clock the next morning. Previous to the request the board had no knowledge of the situation. The controversy in that case was between the engineers, firemen, conductors, trainmen, and telegraphers and one of the heaviest traffic roads in eastern territory, serving a densely populated industrial section, with terminals in several of the largest cities of the country. It was practically impossible to get in touch with the officers of the railroad and the general officers of the labor organizations in charge of the strike during the night, and the strike went into effect as ordered, resulting in a complete tie-up of train movements. By 11 o'clock, within five hours of the inception of the strike, all the parties representing the contesting interests had been reached by telegraph and met in conference with one of the mediators at the headquarters of the railroad company, and before the close of that day, within 12 hours of the commencement of the strike, full train movements were resumed and the questions in controversy were promptly adjusted through mediation.

In the other case the application for mediation was received from one of the parties to the controversy, but mediation was declined by the other a few hours before the hour set for the strike. The controversy in that case was a peculiarly difficult one for the board to handle because it involved the refusal of the railroad company to meet the representatives of the five organizations connected with transportation, acting in concert, and it was not until this impediment was removed through the services of the board that the parties were brought together. In the meantime the strike had become effective and the interruption of transportation was practically general throughout the system for three days. In connection with the agreement to meet the representatives of the labor organizations, both parties agreed to refer to future mediation any of the matters in controversy which they were unable to settle by direct negotiations, agreeing to the condition, required by the board, that uninterrupted train movements should be resumed in the meantime. This was done promptly and an amicable adjustment in this case was reached, without any destruction of property and with comparatively slight detriment to the public interest.

It is interesting to know that of the 28 cases in which the board's services were required, 21 were wholly adjusted through mediation, 2 by arbitration after many of the points in dispute had been disposed of through mediation, while in only 5 cases was it necessary to submit all the matters in controversy to boards of arbitration.

The list of cases herewith furnished embraces only the classes of controversies that threatened to interrupt, or were actually interrupting, the business of the railroads to the serious detriment of the public interest, and is therefore but a partial statement of the labors of the board.

A custom has grown up among both employers and employees to refer their controversies of a less serious nature also to the board, and while the board has not unduly encouraged this practice it has readily, as far as practicable, employed its services wherever by so doing it was considered in the public interest. Such services, perhaps, are not strictly within the letter of the organic law, but are undoubtedly within its spirit, and the readiness with which both parties invoke the services of the board is a very high testimonial to the wisdom of the law and the benefits resulting from its administration. Controversies of this nature generally involve the interpretation of schedules and contracts which cover both rates of pay and conditions of service, and in some instances questions of discipline, notwithstanding the generally recognized principle that the railroads reserve and exercise the undisputed right of discipline. In matters of discipline purely the customary course, before the passage of the Newlands Act, was by way of appeal through the employees' committees from an unsatisfactory decision of a minor official to officials of higher grade of the railroads, and in case the decision was sustained the brotherhood organizations had no recourse except through a strike or a threatened strike. Since the passage of this act, however, while either of the parties could refuse a proposal from the other to submit a controversy growing out of a matter of discipline to the board on the ground that it was not a subject of mediation in the contemplation of the law, it is a significant fact that questions of discipline are not infrequently brought to the board by the requests of both parties, and in such cases, as well as in many other controversies, involving interpretations of schedules and working contracts, the board has yet to learn of an instance where its advice has not been accepted and amicable settlement reached.

Mediation is wholly a voluntary procedure in the contemplation of the law. Both parties, even, may decline to invoke it, and where the services of the board are requested by one of the parties the other may decline to accept them, and both may decline where the board renders its services in the absence of application. There have been, however, only three instances so far where the conditions were such that the board exercised its authority to volunteer its services without request from either party, and there has been no case in which either party has refused to accept the services of the board when requested by the other. In 8 cases the requests have been the joint action of both parties, in 6 cases application was made by the roads and services accepted by the employees, and in 11 cases application was made by the employees and services accepted by the roads. Notwithstanding, therefore, the fact that mediation of disputes is a voluntary procedure and that the board has only advi-

sory authority, the law has been administered so as to meet substantially all the conditions that the advocates of a compulsory arbitration law demand. In fact, it is questionable whether a compulsory mediation law would operate as satisfactorily as the present law which depends primarily for its success upon the voluntary action of the parties to a controversy.

In not a few instances the parties have requested and even urged the board to settle their controversies as if in arbitration, but this the board has declined to do; because, in the first place, in its opinion the language of the law did not confer such authority, and secondly because it would jeopardize if not destroy the mediatory efficiency of the board. The board advises and makes rulings, but always without binding the parties to accept the same.

Perhaps the most difficult work the board has encountered has been in the execution of that provision of the law which requires it to "at once endeavor to induce the parties to submit their controversies to arbitration" when its "efforts to bring about an amicable adjustment through mediation and conciliation shall be unsuccessful. When all mediation and conciliation efforts have failed, arbitration is the only recourse for a peaceful settlement of the controversy, and both of the parties feeling equally the justness of their cause, naturally hesitate to submit their contentions to an arbitration board because it is an arbitration board and not the Board of Mediation and Conciliation that has authority to render an award which, under the terms of the law, becomes the judgment of a court. The law requires the filing of the award, on the day of its rendition, in the district court of the United States for the district in which the arbitration is held, and if not successfully appealed from within 10 days judgment is entered thereon.

There has been only one appeal from an award during the year and in that case the award was successively affirmed by the district judge and by the circuit court of appeals.

The operations of the board, both in its mediation features and in arbitrations brought about through its advice, have directly affected every railroad east and several of the largest systems west of the Mississippi River. Perhaps three-fourths of the railroads of the country in capital and trackage have been involved in these controversies in which the organizations representing the engineers, firemen, conductors, trainmen, switchmen, telegraphers, and maintenance-of-way men, aggregating 124,503 employees, have been concerned, in some cases in single movements and in other cases in concerted movements.

The administration of the law, it is believed, has demonstrated the wisdom of its enactment. Through its salutary influences as a Federal statute it has evoked popular approval and the sympathetic cooperation of the railroad managers and the vast army of their employees without which approval and support the efforts of those to whom its administration has been intrusted would have been far less successful.

The first Federal law providing for the mediation and arbitration of controversies between railroads and their employees (act of October 3, 1888) was practically a dead letter. It was invoked only once during its existence, and in that case by the President of the United States acting without the request of the parties, and this notwithstanding the fact that during the years 1881-1898 there were an average of 22 strikes, affecting an average of 29 railroads, each year.

The second enactment of Congress (June 1, 1898, commonly known as the Erdman law) undertook to correct the defects of previous legislation. Although it was the result of long agitation and embodied the proposals largely of the railroads and labor interests immediately concerned, its provisions during the first years of its existence were rarely availed of. The records of the Department of Commerce and Labor (report of the Commissioner of Labor, 1906) show that from the year 1901 to 1905 there were 329 strikes affecting railroad transportation, while during that period there was only one instance in which the provisions of the Erdman law were invoked, and in that case the request for mediation made by the employees was declined by the companies, and the record of the department does not show how the controversy was finally disposed of.

From 1906 down to the enactment of the present law there were in all 48 cases settled on request of the parties either by mediation under the Erdman law or by arbitrations in accordance with its provisions. Seven of these cases were concerted movements, involving many of the various classes of employees and involving in each instance a large number of railroads, in one case as many as 64 roads. Of these 48 cases coming under the Erdman law during the 14 years of its existence, 20 were settled through mediation, 8 were settled by mediation and arbitration, and 4 by arbitration alone. In the remaining 16 cases the services of the mediators, requested by one of the parties, was either refused by the other or direct settlements were reached between the parties after the services of the mediators were invoked without employing them or resorting to arbitration.

The table of cases accompanying this report furnishes ample evidence of the growth of the spirit of mediation and arbitration, for during the period from July 15, 1913, to June 30, 1914, under the provisions of the present law there have been substantially as many controversies, involving a much larger number of employees and vastly greater financial interests, settled through mediation and arbitration than were so settled during the period from June 1, 1898, to July 15, 1913, covering the period of the Erdman law.

Early in its experience the Board of Mediation and Conciliation was convinced that its services could be more expeditiously and satisfactorily rendered in certain central railway cities of the country instead of requiring all the parties to the various controversies to bring them before the mediators or arbitrators, as the case might be, at the headquarters of the board in Washington. Mediation conferences, therefore, have been held in Bangor, Me.; St. Albans, Vt.; New York, N. Y.; Philadelphia, Pa.; Cincinnati and Cleveland, Ohio; Chicago, Ill.; Portland, Oreg.; San Francisco, Cal.; Houston, Tex.; Muskogee, Okla.; St. Louis, Mo.; Augusta and Savannah, Ga.; and Norfolk, Va. Such meetings have been frequent in New York, Chicago, Cleveland, and St. Louis. In most of the mediation conferences held at points distant from Washington mediation services have been rendered either by the commissioner or the assistant commissioner. In the more important cases the chairman of the board has attended with the commissioner and the assistant commissioner.

From the foregoing statement it will be observed that much of the time of the commissioner and of the assistant commissioner has necessarily been occupied at points distant from Washington. The

assistant commissioner has spent the larger portion of his time in such work. In a number of instances the calls upon the board have been of such number and character that the chairman of the board, the commissioner, and the assistant commissioner have all been engaged at the same time in some cases many days continuously. Practically all of the controversies arising in what is known as the southeastern territory, comprising all the railroads east of the Mississippi and south of the Ohio Rivers, with the exception of the Illinois Central Railroad, whose headquarters are in Chicago, are heard in the offices at Washington.

It is perhaps too early in the administration of the law to suggest amendments, and no action has been taken by the board either in support of or in opposition to various amendments that have been suggested, some of which have been introduced in Congress. The policy of the board has been to let well enough alone until time and longer experience should demonstrate the necessity for changes in the law.

Complaints and criticisms of the law, so far as the board is advised, do not relate to the methods of mediation or to arbitration procedure but relate to the application of awards. Complaint is urged by the employees that the application of an award, being wholly within the control of the employer, they have no recourse except through an appeal which in effect brings the subject matter again back to mediation. The attitude of the employees in this connection is that while mediation and arbitration under the law are properly voluntary movements, the application of an award when the court's judgment has been rendered thereon should be compulsory, and that some method should be provided, through legal machinery, for its prompt and proper application by the railroads. On this subject the board feels that it is relieved from making any remedial suggestion, except that in no event should methods of application of an award or its enforcement be committed to or imposed upon the board. Its duties have been wisely confined to mediation and conciliation, and those remedies failing, to use its best endeavors to induce the parties to arbitrate their controversies, and the duty of the board in future, as now provided by law, should be confined exclusively to these fields of operation.

The organic act carried an appropriation of \$25,000, which was found to be about sufficient to cover the salary of the commissioner and the assistant commissioner, office employees, office rent, cost of traveling, and general miscellaneous administrative expenses. The expenses incident to arbitrations are all borne by the Government and as these increased during the year it became necessary for Congress to provide additional funds, and two deficiency appropriations, one of \$10,000 and another of \$40,000, were granted. Of these appropriations aggregating \$75,000 there was expended in the 11 months from the organization of the board to the close of the fiscal year the sum of \$20,567.06 for salaries and for what may be termed purely administrative purposes, and the sum of \$33,643.11 for expenses of arbitrations. The present law provides for either three member or six-member boards of arbitration, as the parties may desire, and the policy of the Board of Mediation and Conciliation to limit an arbitration board to three members where the controversy

between one class of employees and a single road has generally been agreeable to the parties. In the concerted movements where more than one class of employees or a number of roads are involved an arbitration board of six members is employed.

The expenses of arbitrations are carefully guarded by the Board of Mediation and Conciliation, and while the amount in the aggregate may appear large the work in reality has been accomplished on economical lines. The surplus of \$20,787.83 of appropriations over expenditures which was covered back into the Treasury at the end of the fiscal year resulted from the fact that certain arbitrations which were anticipated at the time the last appropriation of \$40,000 was granted did not take place before the expiration of the year. An appropriation of \$50,000 has been granted for the year 1914-15 and may or may not prove sufficient, depending upon the number and cost of arbitrations held during that period. The normal administration expenses will continue through the year without material change.

Respectfully submitted.

W. L. CHAMBERS,
Commissioner of Mediation and Conciliation.

TABLE I.—Cases of mediation and arbitration under the Newlands Act during the fiscal year ended June 30, 1914.

Case No.	Application.		Railroad involved.	Approximate mileage operated.	Handled over mileage operated.	
	Date received.	Made by—			Passengers.	Tonnage.
1	July 16, 1913	Services tendered	Baltimore & Ohio.....	4,456.33	22,879,239	72,461,064
			Baltimore & Ohio Southwestern.....	921.44	1,115,275	15,801,252
			Bessemer & Lake Erie.....	212.54	(1)	(1)
			Boston & Albany.....	199.23	49,918,103	25,473,568
			Boston & Maine.....	2,301.90	2,023,020	12,490,608
			Buffalo, Rochester & Pittsburgh.....	576.46	626,230	2,482,103
			Buffalo & Susquehanna.....	252.56	921,658	6,119,568
			Central New England.....	276.93	24,251,226	34,208,322
			Central Railroad of New Jersey.....	676.07	2,163,216	4,546,441
			Chicago, Indianapolis & Louisville.....	616.60	589,030	8,763,347
			Chicago, Indiana & Southern.....	358.84	710,228	3,245,563
			Chicago, Terre Haute & Southeastern.....	361.57	2,870,866	11,510,773
			Cincinnati, Hamilton & Dayton.....	1,014.60	586,638	1,880,381
			Cincinnati Northern.....	244.67	7,881,739	26,691,732
			Cincinnati, Cincinnati, Chicago & St. Louis.....	2,013.78	170,078	97,453
			Dayton & Union.....	47.00	8,204,722	20,443,250
			Delaware & Hudson.....	853.61	25,525,251	24,833,188
			Delaware, Lackawanna & Western.....	959.81	405,608	2,571,269
			Detroit, Toledo & Ironton.....	441.29	(2)	(2)
			Grand Rapids & Indiana.....	577.73	2,277,140	11,178,636
			Hocking Valley.....	351.50	1,269,783	5,611,112
			Kanawha & Michigan.....	176.60	1,725,779	5,682,797
			Lake Erie & Western.....	905.61	10,011,962	44,130,230
			Lake Shore & Michigan Southern.....	1,872.30	158,148	4,700,898
			Lehigh & Hudson River.....	96.60	(3)	(3)
			Long Island.....	395.02	4,766,403	7,282,464
			Maine Central.....	1,206.70	6,153,208	22,639,992
			Michigan Central.....	1,819.15	52,837,515	55,582,087
			New York Central & Hudson River.....	3,750.65	843,260	9,980,090
			New York, Chicago & St. Louis.....	564.56	86,813,807	26,266,327
			New York, New Haven & Hartford.....	2,112.55	2,245,578	6,409,817
			New York, Ontario & Western.....	565.61	784,001	3,805,133
			New York, Philadelphia & Norfolk.....	112.00	145,218,357	189,987,385
			Pennsylvania Lines, East.....	5,943.48	32,628,917	170,687,392
			Pennsylvania Lines, West.....	3,817.97	27,620,457	55,525,949
			Philadelphia & Reading.....	1,020.38	1,777,732	2,502,748
			Rutland.....	468.11	1,121,048	8,105,256
			Toledo & Ohio Central.....	442.85	(2)	(2)
			Vandalia.....	910.05	2,194,998	10,821,039
			Western Maryland.....	543.00	1,754,901	11,667,451
			Wheeling & Lake Erie.....	511.44	253,495	1,507,305
			Zanesville & Western.....	89.70		

3	Aug. 8, 1913	Jointly	St. Louis Southwestern	47.29	1,381,523	2,402,235
4	July 31, 1913	Road	Southern Pacific Co. (Pacific System)	905.20	35,983,456	20,515,403
5	do	Employees	Central Vermont	6,487.00	1,926,118	4,197,836
6	Aug. 12, 1913	Jointly	Chicago, Burlington & Quincy	411.20	23,100,539	33,389,439
7	do	Employees	Norfolk Southern	9,128.51	(4)	(4)
8	Sept. 27, 1913	do	Chicago, Rock Island & Pacific	834.46	19,234,946	20,725,543
9	Oct. 8, 1913	Services tendered	Chicago, Rock Island & Gulf	7,572.53	(4)	(4)
10	Sept. 22, 1913	Employees	New York, New Haven & Hartford	475.61	86,813,807	26,266,327
11	Oct. 25, 1913	Roads	Wheeling & Lake Erie	2,112.55	1,754,901	11,667,451
12	Nov. 13, 1913	Road	Wabash, Pittsburgh Terminal	511.44	420,429	3,034,218
13	Oct. 30, 1913	Jointly	West Side Belt Rail way	63.40	84,450	3,900,653
14	Nov. 29, 1913	Employees	Cincinnati, New Orleans & Texas Pacific	22.46	1,495,728	5,631,134
15	Nov. 25, 1913	do	Alabama Great Southern	337.27	1,008,807	3,689,683
16	Jan. 18, 1914	Road	Southern Pacific Co. (Sunset Lines)	309.41	(4)	(4)
17	Jan. 12, 1914	Employees	Southern Railway	3,470.00	19,634,498	29,650,456
18	Jan. 24, 1914	Jointly	Chesapeake & Ohio of Indiana	7,032.97	(4)	(4)
19	do	do	Seaboard Air Line	284.59	4,928,125	10,409,242
20	Feb. 13, 1914	Employees	Delaware & Hudson	3,081.98	8,204,722	20,443,250
21	Mar. 3, 1914	Jointly	New York, Chicago & St. Louis	853.61	843,260	9,980,090
22	Mar. 14, 1914	Road	Southern Pacific Co. (Sunset Lines)	564.56	(4)	(4)
23	Mar. 16, 1914	Jointly	Baltimore & Ohio	(7)	22,879,239	72,461,064
24	do	do	Baltimore & Ohio Southwestern	4,456.33	2,451,275	5,721,416
25	do	do	Oregon-Washington Railroad & Navigation Co.	921.44	437,317	511,752
26	do	do	Georgia & Florida	1,917.21	19,634,498	29,650,456
27	Apr. 16, 1914	Services tendered	Southern Railway	352.20	215,133	1,218,676
28	Apr. 29, 1914	Jointly	Illinois Southern	7,032.97	7,881,739	26,691,732
			Cleveland, Cincinnati, Chicago & St. Louis	136.22	10,011,962	44,130,230
			Lake Shore & Michigan Southern	2,013.78	589,030	8,763,347
			Chicago, Indiana & Southern	1,872.30	(4)	(4)
			Savannah & Northwestern	358.84	408,985	947,074
			Missouri, Oklahoma & Gulf	109.00		
			Total	109,205.93	914,613,163	1,323,692,697

¹ Included in New York Central & Hudson River.

² Included in Pennsylvania lines, West.

³ Included in Pennsylvania lines, East.

⁴ Not reported.

⁵ Entire system.

⁶ The original application for mediation made Aug. 17, 1913, under Erdman Act.

⁷ See case No. 12.

TABLE I.—Cases of mediation and arbitration under the Newlands Act during the fiscal year ended June 30, 1914—Continued.

Case No.	Capitalization.	Employees involved.			Mediation conferences.		Settled by—	Date mediation agreement reached.
		Class.	Approximate number.	Represented by—	Began.	Place.		
1	\$577,991,794							
	5,760,000							
	(1)							
	85,993,191							
	43,888,000							
	19,204,900							
	20,867,000							
	74,317,800							
	32,029,000							
	44,012,199							
	24,895,000							
	81,562,575							
	4,000,000							
	148,523,261							
	86,300							
	100,431,000							
	36,635,200							
	43,245,900							
	(2)							
	36,255,000							
	15,378,000							
	34,555,000							
	219,197,740							
	4,611,000							
	(3)							
	34,085,942							
	62,490,632							
	603,176,791							
	58,880,000							
	382,861,450							
	89,361,983							
	7,000,000							
	901,582,711							
	396,799,000							
	91,855,282							
	21,065,000							
	20,818,153							
	(2)							
	118,686,230							
	67,610,900							
		Conductors.....						
		Trainmen.....						
			92,448	{ O. R. C. B. R. T.	July 21, 1913	New York, N. Y.	Arbitration.	

2	{ 63,298,917 2,880,000	{ Engineer..... Firemen..... Trainmen.....	{ 493	{ B. L. F. & E..... B. L. F. T..... O. R. C..... B. R. T.....	{ Aug. 4, 1913	Chicago, Ill.....	{ Mediation and arbi- tration.....	{ Aug. 6, 1913
3	{ 103,954,583	{ Conductors..... Trainmen.....	{ 755	{ O. R. C..... B. R. T.....	{ Aug. 8, 1913	St. Louis, Mo.....	Mediation.....	Aug. 12, 1913
4	{ 6438,254,316	{ Engineers..... Firemen..... Conductors..... Trainmen.....	{ 5,617	{ B. L. F. & E..... B. L. F. & E..... O. R. C..... B. R. T.....	{ Aug. 9, 1913	San Francisco, Cal.....	do.....	Aug. 18, 1913
5	{ 15,964,000	{ Engineers..... Firemen.....	{ 8,325	{ B. L. F. & E..... B. L. F. & E.....	{ Aug. 11, 1913	St. Albans, Vt.....	do.....	Aug. 13, 1913
6	{ 319,974,100	{ Conductors..... Trainmen.....	{ 3,744	{ O. R. C..... B. R. T.....	{ Aug. 21, 1913	Chicago, Ill.....	{ Mediation and arbi- tration.....	{ Aug. 27, 1913
7	{ 33,903,000	{ Engineers..... Telegraphers.....	{ 48	{ B. L. E.....	{ Sept. 24, 1913	Norfolk, Va.....	Mediation.....	{ Sept. 27, 1913
8	{ 306,648,200 10,125,000	{ Telephoners..... Station agents..... Towermen.....	{ 1,675	{ O. R. T.....	{ Oct. 13, 1913	Chicago, Ill.....	do.....	Oct. 27, 1913
9	{ 382,861,450	{ Engineers..... Telegraphers..... Telephoners..... Station agents..... Signalmen.....	{ 2,664	{ B. L. E..... B. L. F. & E.....	{ Oct. 14, 1913	New York, N. Y.....	do.....	Oct. 18, 1913
10	{ 67,610,900 60,996,434 1,463,000	{ Engineers..... Firemen..... Hostlers.....	{ 205	{ O. R. T.....	{ Nov. 3, 1913	Cleveland, Ohio.....	Arbitration.....	
11	{ 6,833,400 18,139,950	{ Engineers..... Firemen..... Hostlers.....	{ 749	{ B. L. E..... B. L. F. & E.....	{ Nov. 10, 1913	Washington, D. C.....	Mediation.....	Dec. 6, 1913
12	{ (6)	{ Engineers..... Firemen..... Conductors..... Trainmen..... Maintenance of way employees.....	{ 1,865	{ B. L. E..... B. L. F. & E..... O. R. C..... B. R. T.....	{ Nov. 13, 1913	do.....	do.....	Nov. 16, 1913
13	{ 350,000,000	{ Engineers.....	{ 2,784	{ Int. B. M., W. E.....	{ Nov. 7, 1913	do.....	Arbitration.....	Dec. 9, 1913
14	{ 12,339,000	{ Conductors.....	{ 82	{ B. L. E.....	{ Dec. 8, 1913	do.....	Mediation.....	Dec. 16, 1913
15	{ 212,619,000	{ Conductors..... Trainmen.....	{ 664	{ O. R. C..... B. R. T.....	{ Dec. 15, 1913	do.....	do.....	
16	{ 100,431,000	{ Engineers..... Firemen..... Conductors..... Trainmen..... Telegraphers.....	{ 2,983	{ B. L. E..... B. L. F. & E..... O. R. C..... B. R. T.....	{ Jan. 19, 1914	{ New York City and Albany, N. Y.	do.....	Jan. 19, 1914
17	{ 58,880,000	{ Telephoners..... Station agents..... Signalmen.....	{ 260	{ O. R. T.....	{ Jan. 22, 1914	Cleveland, Ohio.....	Arbitration.....	

¹ Abbreviations: Brotherhood of Locomotive Engineers, B. L. E.; Brotherhood of Firemen and Enginemen, B. L. F. & E.; Order of Railway Conductors, O. R. C.; Brother hood of Railroad Trainmen, B. R. T.; Order of Railroad Telegraphers, O. R. T.; International Brotherhood of Maintenance of Way Employees, Int. B. M. W. E.

TABLE I.—Cases of mediation and arbitration under the Newlands Act during the fiscal year ended June 30, 1914—Continued.

Case No.	Capitalization.	Employees involved.			Mediation conferences.		Settled by—	Date mediation agreement reached.
		Class.	Approximate number.	Represented by—	Began.	Place.		
18	(1)	{ Engineers. Firemen. Conductors. Trainmen. Telegraphers. Telephoners. Station agents. Engineers. Firemen. Maintenance of way employees. Engineers. Firemen. Conductors. Trainmen. elegraphers. elephoners. Station agents. owermen. elegraphers. elephoners. Station agents. owermen. elegraphers. elephoners. Station agents. owermen. Conductors. Trainmen.	{ (3) 1,969 187 58 2,784 112 1,163 660 105 9 95 124,503	{ B. L. E. { B. L. F. & E. { O. R. C. { B. R. T. O. R. T. { B. L. E. { B. L. F. & E. Int. B. M., W. E. { B. L. E. { B. L. F. & E. { O. R. C. { B. R. T. O. R. T. O. R. T. O. R. T. O. R. T. O. R. C. { O. R. C. { B. R. T.	{ Feb. 2, 1914 Feb. 17, 1914 Feb. 23, 1914 Mar. 19, 1914 Mar. 16, 1914 Mar. 20, 1914 Mar. 26, 1914 Apr. 19, 1914 Apr. 26, 1914 Apr. 21, 1914 May 18, 1914	Houston, Tex. Washington, D. C. Portland, Oreg. Augusta, Ga. Washington, D. C. St. Louis, Mo. Chicago, Ill. do. do. Savannah, Ga. Muskogee, Okla.	Mediation. do. do. Arbitration. Mediation. do. do. do. do. do. do.	Feb. 7, 1914 Apr. 2, 1914 Mar. 6, 1914 Apr. 4, 1914 Mar. 23, 1914 Apr. 18, 1914 Apr. 25, 1914 Apr. 29, 1914 May 15, 1914 May 23, 1914
19	577,991,794							
20	112,780,000							
21	17,279,712							
22	350,000,000							
23	8,141,000							
24	148,523,261							
25	219,197,740							
26	44,012,199							
27	2,435,000							
28	17,440,190							
	8,579,416,080							

TABLE 11.—Arbitrations under the Newlands Act during the fiscal year ended June 30, 1914.

Case No.	Parties to arbitration.		Date of agreement to arbitrate.
	Railroad company.	Employees.	
1	Baltimore & Ohio.....		} July 26, 1913
	Baltimore & Ohio Southwestern.....		
	Bessemer & Lake Erie.....		
	Boston & Albany.....		
	Boston & Maine.....		
	Buffalo, Rochester & Pittsburgh.....		
	Buffalo & Susquehanna.....		
	Central New England.....		
	Central Railroad of New Jersey.....		
	Chicago, Indianapolis & Louisville.....		
	Chicago, Indiana & Southern.....		
	Chicago, Terre Haute & Southeastern.....		
	Cincinnati, Hamilton & Dayton.....		
	Cincinnati Northern.....		
	Cleveland, Cincinnati, Chicago & St. Louis.....		
	Dayton & Union.....		
	Delaware & Hudson.....		
	Delaware, Lackawanna & Western.....		
	Detroit, Toledo & Ironton.....		
	Grand Rapids & Indiana.....		
	Hocking Valley.....	Conductors.....	} July 26, 1913
	Kanawha & Michigan.....	Trainmen.....	
	Lake Erie & Western.....		
	Lake Shore & Michigan Southern.....		
	Lehigh & Hudson River.....		
	Long Island.....		
	Maine Central.....		
	Michigan Central.....		
	New York Central & Hudson River.....		
	New York, Chicago & St. Louis.....		
	New York, New Haven & Hartford.....		
	New York, Ontario & Western.....		
	New York, Philadelphia & Norfolk.....		
	Pennsylvania Lines, East.....		
	Pennsylvania Lines, West.....		
	Philadelphia & Reading.....		
	Rutland.....		
	Toledo & Ohio Central.....		
	Vandalia.....		
	Western Maryland.....		
	Wheeling & Lake Erie.....		
	Zanesville & Western.....		

TABLE II.—Arbitrations under the Newlands Act during the fiscal year ended June 30, 1914—Continued.

Case No.	Parties to arbitration.		Date of agreement to arbitrate.
	Railroad company.	Employees.	
2	{ Chicago & Western Indiana..... Belt Railway Company of Chicago.....	{ Engineers..... Firemen..... Trainmen.....	{ Aug. 6, 1913
6	Chicago, Burlington & Quincy.....	{ Conductors..... Trainmen.....	{ Aug. 27, 1913
10	{ Wheeling & Lake Erie..... Wabash, Pittsburgh Terminal..... West Side Belt Railway.....	{ Telegraphers..... Telephoners..... Station agents.....	{ Nov. 7, 1913
13	Southern Railway.....	{ Signalmen..... Maintenance-of-way employees.....	{ Nov. 3, 1913
16	New York, Chicago & St. Louis.....	{ Telegraphers..... Station agents.....	{ Feb. 5, 1914
20	Georgia & Florida.....	{ Signalmen..... Engineers..... Firemen.....	{ Mar. 21, 1914

TABLE II.—Arbitrations under the Newlands Act during the fiscal year ended June 30, 1914—Continued.

Case No.	Arbitrators.		Chosen by—	Date chosen.	Hearing by arbitration board.	
	Name.	Occupation.			Date of first hearing.	Place.
2	F. A. Burgess.....	Assistant Grand Chief, Brotherhood of Locomotive Engineers.	Employees.....	Aug. 8, 1913	Aug. 28, 1913	Chicago, Ill.....
	W. J. Jackson.....	General manager Chicago & Eastern Illinois R. R.	Roads.....	Aug. 11, 1913		
	E. S. Huston.....	Lawyer.....	United States Board of Mediation and Conciliation.	Aug. 22, 1913		
6	E. R. Curtis.....	Vice president Order of Railway Conductors.	Employees.....	Aug. 27, 1913	Nov. 3, 1913	Chicago, Ill.....
	E. L. Harrigan.....	General chairman grievance committee N. P. R. R.	do.....	do.....		
	Fairfax Harrison ¹	President Chicago, Indianapolis & Louisville Ry.	Road.....	Sept. 1, 1913		
	P. H. Morrissey.....	Assistant to vice president C., B. & Q. R. R.	do.....	do.....		
	Gerrit J. Diekema.....	Lawyer.....	United States Board of Mediation and Conciliation.	Oct. 29, 1913		
	Henry S. Boutell.....	do.....	do.....	do.....		
10	D. R. Webner.....	Trainmaster Wheeling & Lake Erie Ry.	Roads.....	Nov. 14, 1913	Dec. 29, 1913	Cleveland, Ohio.....
	H. B. Chapman.....	Lawyer.....	do.....	do.....		
	D. G. Ramsay.....	do.....	Employees.....	Nov. 18, 1913		
	S. J. Konenkamp.....	International president Commercial Telegraphers' Union of America.	do.....	do.....		
	Alexander H. Hadden.....	Lawyer.....	Other arbitrators.....	Dec. 10, 1913		
	James R. Garfield.....	do.....	do.....	do.....		
13	D. W. Lum.....	Engineer of maintenance of way Southern Ry.	Road.....	Oct. 30, 1913	Nov. 17, 1913	Washington, D. C.....
	T. H. Gerry.....	General chairman maintenance-of-way employees.	Employees.....	do.....		
	H. A. Herbert.....	Lawyer.....	United States Board of Mediation and Conciliation.	Nov. 10, 1913		

16	Julian W. Mack.....	Great Western Ry. United States circuit judge.....	United States Board of Medi- ation and Conciliation.	May 15, 1914	May 25, 1914	Chicago, Ill.....	June 13, 1914
	D. G. Ramsay.....	Lawyer.....	Employees.....	May 23, 1914			
	L. S. Davis.....	General chairman Brotherhood of Locomotive Engineers.	do.....	Mar. 21, 1914			
20	A. W. Anderson.....	General manager Charleston & Western Carolina Ry.	Road.....	Mar. 23, 1914	Apr. 28, 1914	Augusta, Ga.....	May 9, 1914
	Stanton J. Peelle.....	Judge United States Court of Claims (retired).	United States Board of Medi- ation and Conciliation.	Apr. 20, 1914			

1 On Dec. 2, 1913, Pierce Butler, lawyer, was appointed arbitrator in place of Fairfax Harrison, resigned.

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